

JS 44 (Rev. 04/21)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Coltrin, Kip

(b) County of Residence of First Listed Plaintiff Calcasieu, LA

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Evan T. Edwards, 969 Coolidge, Lafayette, La 70503

DEFENDANTS

Blinn County Community College, ET AL

County of Residence of First Listed Defendant Washington County, TX

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|---------------------------------------|---------------------------------------|---|---------------------------------------|---------------------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input checked="" type="checkbox"/> 4 |
| Citizen of Another State | <input checked="" type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input checked="" type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input checked="" type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTIONCite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 USC 1332

Brief description of cause:

Auto accident, Plaintiff (LA citizen) rear-ended by Defendant (TX citizen / employee)

VII. REQUESTED IN COMPLAINT:☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.**DEMAND \$**

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER 1:25-cv-244

DATE

Feb 19, 2025

SIGNATURE OF ATTORNEY OF RECORD

/s/ Evan T. Edwards

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF TEXAS

AUSTIN DIVISION

KIP COLTRIN

*

*

VERSUS

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CIVIL NO: 1:25-cv-244

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**BLINN COUNTY COMMUNITY
COLLEGE, ET AL**

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PLAINTIFF'S COMPLAINT AND JURY DEMAND

TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE

Now comes, **KIP COLTRIN**, hereinafter referred to as "Plaintiff" complaining of Defendants Blinn County Community College-Brenham, Blinn College District Police Department, and the Texas Association of School Boards (TASB) hereinafter collectively referred to as "Defendants" and for cause of action would respectfully show the court and as follows:

1 JURISDICTION AND VENUE

1 This court has jurisdiction over the suit pursuant to 28 USC §1332(a)(1) and the power to hear a declaratory judgment action per 28 USC §2201(a) and 28 USC § 2202.

2 Venue is proper in this court under 28 USC § 1391(b) (2) as a substantial part of events, action of negligence, issue of liability, and/or omissions giving rise to this claim occurred in Washington County, Texas, a county encompassed in the Western District of Texas.

2. PARTIES AND SERVICE

3 Plaintiff is KIP COLTIRN an individual who is a citizen of the State of Louisiana.

4 Defendant Texas Association of School Boards is an organization organized under the laws of the State of Texas with its principal place of business in Austin, Texas, 12007 Research Blvd. Austin, TX 78759-2429.

5 Blinn County Community College-Brenham with its principal place of business in Washington County, Texas, may be served with process by serving its required agent for service 902 College Ave., Brenham, TX 77833.

6 Blinn College District Police Department, with its principal place of business in Washington County, Texas, may be served with process by serving its required agent for service 902 College Ave., Brenham, TX 77833.

7 Joel Angel Chavez in his individual capacity and as an employee of Blinn College District Police Department, who works and is believed to reside principally in Washington County, Texas, may be served with process by serving its required agent for service 902 College Ave., Brenham, TX 77833.

3. NATURE OF CLAIM

8 Plaintiff sustained severe bodily injuries and damages as a result of an automobile accident that occurred on February 21, 2023.

9 Defendant has refused or has been unable to make a fair settlement offer to attempt to resolve this matter, in accordance with the law.

10 The disagreement or miscommunication between the Plaintiff and Defendant has forced Plaintiff to seek judgment against Defendant.

4. STATEMENT OF FACTS

11 On or about February 21, 2023, KIP COLTRIN was operating his vehicle heading west bound on US Highway 290.

12 On or about February 21, 2023, JOEL ANGEL CHAVEZ was also operating a vehicle headed west bound on US Highway 290.

13 Mr. Chavez was in the course and scope of his employment, and the vehicle being operated was a police unit owned and operated by the Blinn County Community College-Brenham and/or the Blinn College District Police.

14 Mr. Coltrin had slowed/stopped his vehicle due to traffic conditions on Highway 290, when he was suddenly and violently hit from behind by the vehicle being operated by Mr. Chavez.

15 The police report indicates that at the time of the incident Mr. Chavez was distracted and/or using his unit's computer.

16 The impact was so violent that it totaled the drop-deck trailer that Mr. Coltrin was towing with his vehicle.

5. DAMAGES

17 Plaintiff has suffered and is suffering direct and personal injury as a result of the Defendant's negligence.

18 Plaintiff has incurred numerous medical expenses including but not limited to past, present and future medical expenses, property damage, loss of earning capacity and economic damages, pain and suffering, mental anguish, exemplary damages, interest, costs of suit, and other general and special damages.

6. MONETARY RELIEF

19 Because of all the above and foregoing, Plaintiff has been damaged and will be damaged in a sum above the minimum jurisdictional amount of this Court.

7. BENCH TRIAL DEMAND AND PRAYER

20 Plaintiff requests a jury trial.

21 Plaintiff avers that the amount in controversy is above the threshold to establish diversity

jurisdiction in this Court.

WHEREFORE, PRESUMES CONSIDERED, Plaintiff requests that due service of Petition and citation issue herein upon Defendant(s), and that on final hearing of this cause, Plaintiff have declaratory judgment against Defendants as stated above, for costs of suit, for interest on the judgment for pre-judgment interest; and for any other relief in law or equity, both special and general to which Plaintiff may be justly entitled to.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'E. Edwards', is written over a horizontal line.

EDWARDS | BOWIE

Evan T. Edwards (LA #35117)

969 Coolidge Blvd

Lafayette, LA 70503

T: 337-237-0492; F: 337-232-7758

Email: edawrds@ebolegal.com

Attorneys for Petitioner

VERIFICATION

11
STATE OF LOUISIANA

PARISH OF LAFAYETTE

BEFORE ME, the undersigned authority, personally came and appeared:

KIP COLTRIN, of the full age of majority and domiciled
in the Parish of Calcasieu Parish, State of Louisiana.

who after being duly sworn, did depose and state that: He is the Petitioner named in the above
and foregoing Petition; that he has read same and that all statements contained therein are true
and correct to the best of his knowledge, information and belief.


KIP COLTRIN

SWORN TO AND SUBSCRIBED before me this 3rd day of February, 2025.


NOTARY PUBLIC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above was electronically filed with the Clerk of Court using the CM/ECF system and/or U.S. Mail to the Defendants or any named counsel. Notice of this filing will be sent to all counsel of record via notice of electronic filing (NEF). Lafayette, Louisiana, this 19 day of February, 2025.

/s/ Evan T. Edwards

Plaintiff's Counsel